

**THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE**

<b>In Re:</b>  <b>SKELAXIN (METAXALONE) ANTITRUST LITIGATION</b>	<b>Lead Case No. 2:12-cv-4</b>  <b>MDL No. 2343</b>  <b>Judge Curtis L. Collier</b>
<b>THIS DOCUMENT RELATES TO:</b>  <b>All Indirect Purchaser for Resale Actions</b>	

**INDIRECT PURCHASER FOR RESALE PLAINTIFFS' MOTION FOR  
FINAL APPROVAL OF SETTLEMENT AND PLAN OF DISTRIBUTION WITH  
DEFENDANT MUTUAL PHARMACEUTICAL COMPANY, INC.**

Indirect Purchaser for Resale Plaintiffs ("IPPs"), by their counsel ("IPPs' Counsel"), hereby move for an order granting final approval to the \$2 million settlement with Mutual Pharmaceutical Company, Inc. ("Mutual") (the "Settlement"), as well as the plan of distribution.

The Court certified the Settlement Class and granted preliminary approval to the Settlement on August 5, 2014. IPPs' Counsel caused notice to be sent to all members of the Settlement Class, and, other than those indirect purchasers for resale continuing to litigate their claims independently in this Court, no member of the Settlement Class has objected or moved to exclude itself from the Settlement.

IPPs submit that the Settlement represents a beneficial result to the Settlement Class, providing for a gross cash payment of \$2 million in exchange for defined releases to Mutual and an agreement to dismiss the action.

WHEREFORE, based on the foregoing and for the reasons set forth in the accompanying memorandum of law and exhibits, IPPs' motion should be granted and the plan of distribution

described in the Memorandum of Law in Support of Indirect Purchaser for Resale Plaintiffs' Motion for Final Approval of Settlement and Plan of Distribution with Defendant Mutual Pharmaceutical Company, Inc., entered.

Respectfully submitted,

Dated: November 3, 2014

/s/ Gordon Ball  
Gordon Ball  
LAW OFFICES OF GORDON BALL  
7001 Old Kent Drive  
Knoxville, TN 37919  
Tel: (865) 525-7028  
Email: gball@gordonball.com

*Lead Counsel for the Indirect  
Purchaser for Resale Class*

Brent W. Landau  
HAUSFELD LLP  
325 Chestnut Street  
Suite 900  
Philadelphia, PA 19106  
Tel: (215) 985-3270

Kimberly A. Kralowec  
Kathleen Styles Rogers  
THE KRALOWEC LAW GROUP  
188 The Embarcadero, Suite 800  
San Francisco, CA 94105  
Tel: (415) 546-6800

Michael D. Hausfeld  
Nathaniel C. Giddings  
HAUSFELD LLP  
1700 K Street, Suite 650  
Washington, DC 20006  
Tel: (202) 540-7200

Scott H. McNutt  
Shane Moses  
MCNUTT LAW GROUP, LLP  
188 The Embarcadero, Suite 800  
San Francisco, CA 94105  
Tel: 415-995-8475

*Additional Counsel for Indirect  
Purchaser for Resale IPPs  
Johnson's Village Pharmacy, Inc., Russell's  
Mr. Discount Drugs, Inc., and Bidwell  
Pharmacy and Medical Supply, Inc.*

*Additional Counsel for Indirect Purchaser for  
Resale Plaintiff Bidwell Pharmacy &  
Medical Supply, Inc.*

Robert L. Bowman  
KRAMER RAYSON LLP  
800 S. Gay Street, Suite 2500  
Knoxville, TN 37929  
Tel: (865) 525-5134

Keith D. Stewart  
BURROUGHS, COLLINS & NEWCOMB,  
PLC  
900 South Gay Street, Suite 600  
Post Office Box 551  
Knoxville, TN 37901-0551  
Tel: (865) 342-1040  
Fax: (865) 342-1041

Tom Jessee

JESSEE & JESSEE  
412 E. Unaka Ave.  
Johnson City, TN 37601  
Tel: (423) 928-7176

Arthur N. Bailey  
ARTHUR N. BAILEY & ASSOCIATES  
111 West Second Street, Suite 4500  
Jamestown, NY 14701  
Tel: (716) 664-2967

Don Barrett  
BARRETT LAW GROUP, P.A.  
404 Court Square North  
Lexington, MS 39095  
Tel: (662)834-2488

*Additional Counsel for Indirect  
Purchaser for Resale IPPs  
Johnson's Village Pharmacy, Inc. and  
Russell's Mr. Discount Drugs, Inc.*

Lee Albert  
Gregory B. Linkh  
GLANCY BINKOW & GOLDBERG LLP  
122 East 42<sup>nd</sup> Street, Suite 2920  
New York, NY 10168  
Tel: 212-682-5340

*Additional Counsel for Indirect Purchaser for  
Resale Plaintiff Knight Pharmacy, Inc.*

*Counsel for the Indirect Purchaser for Resale Class*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 3, 2014, a copy of the foregoing was served on all attorneys of record via the Court's CM/ECF system.

/s/ Nathaniel C. Giddings

Nathaniel C. Giddings